01030

1972/10/03

DECLASSIFIED
Authority EO 12958
By AR NARA

Reproduced at the National Archives

T O P S E C R E T 031730Z OCT 72 SENSITIVE EXCLUSIVELY EYES ONLY

VIA BUNKER CHANNELS

FROM HENRY KISSINGER

TO COL BROWN FOR GEN HAIG

CITE WHS2199

TOHAIG 33

OCTOBER 3, 1972 DELIVER 6:30 AM LOCAL

TO: AL HAIG

FROM: HENRY A. KISSINGER

1. OUR NEW YORK FRIENDS HAVE CALLED TO SAY THEY HAVE AN IMPORTANT MESSAGE WHICH THEY WANT TO DELIVER TO ME PERSONALLY. I AM PICKING IT UP LATE TONIGHT OUR TIME. I WILL WANT TO GET IT TO YOU IF IT BEARS ON YOUR EFFORTS THERE, AND YOU SHOULD MAKE ARRANGEMENTS TO BE SURE THAT IF WE SEND IT. IT CAN BE DELIVERED TO YOU WHEREVER YOU MAY BE.

2. THE MORE I HAVE THOUGHT ABOUT IT, THE MORE CONVINCED I AM THAT WE SHOULD NOT SURFACE THE IDEA OF A PRESIDENTIAL ELECTION BY CONSTITUENT ASSEMBLY. IT IS SIMPLY TOO CONFUSING A SUBJECT TO RAISE NOW. INDEED, I DO NOT BELIEVE WE SHOULD SURFACE IT AT ALL. THE NORTH VIETNAMESE MUST DECIDE WHETHER THEY WANT A PRESIDENTIAL ELECTION. IF SO, IT MUST BE BY POPULAR VOTE. IF THEY WILL NOT

DECLASSIFIED
Authority EO 12958
By AK NARA Date 9/17/02

Reproduced at the National Archives

ACCEPT A POPULAR VOTE THEN THEY MUST GO THE ROUTE OF A CONSTITUENT ASSEMBLY TO DRAFT A NEW CONSTITUTION.

3. I AM OF DIVIDED MIND WHETHER THE CONSTITUTION SHOULD BE DRAFTED BY CONSTITUENT ASSEMBLY OF BY COMMITTEE. THE COMMITTE ROUTE HAS THE ADVANTAGE OF THE UNANIMITY RULE. ON THE OTHER HAND. THE CONSTITUENT ASSEMBLY MAY NEVER EXIST AT ALL AND, IF IT DOES, IT IS LIKELY TO BE DOMINATED BY GVN SUPPORTERS. ON THIS QUESTION, WE WILL DO EXACTLY WHAT THIEU PERFERS.

4. YOU SHOULD MAKE ABSOLUTELY CLEAR TO THIEU THAT ANY SOLUTION WHICH DOES NOT GUARANTEE THE KEEPING OF A NON-COMMUNIST STRUCTURE INTACT IN SAIGON IS TOTALLY INACCEPTABLE TO US. THE MORE I THINK OF IT, THE LESS I LIKE THE IDEA OF HIS RESIGNING. I HAVE GOT THE PRESIDENT ABOARD ON THIS. I HAVE ALREADY TOLD GROMYKO THAT IN THE FRAMEWORK OF THE PRESENT NORTH VIETNAMESE PROPOSALS A THIEU RESIGNATION IS UNACCEPTABLE. HE DID NOT BRIDLE. YOU ARE FREE TO USE THIS.

5. I WOULD NOT PLAN ON SURFACING WITH THE NORTH VIETNAMESE AT ONE TIME THE FULL PACKAGE WHICH YOU ARE NOW DISCUSSING. FOR EXAMPLE, I WOULD NOT SURFACE THE PROVINCIAL AND MUNICIPAL SUB-COMMITTEES IN THE FIRST GO-ROUND.

6. IN SHORT, I THINK THE BEST SOLUTION IS TO STAY ESSENTIALLY

DECLASSIFIED
Authority EO 12958
By AR NARA Date 9/17/02

Reproduced at the National Archives

WITH THE FIRST PROPOSAL WHICH YOU HAVE LAID OUT -- THE CONSTITUENT ASSEMBLY WITHOUT RESIGNATION AND WITH THE POSSIBLE INCLUSION OF PRESIDENTIAL ELECTION BY POPULAR VOTE.

7. THE SOVIETS PROMISED THEIR HELP, AND I AM ALMOST INCLINED TO BELIEVE THEM.

8. CONCERNING YOUR DEPARTURE TIME (HAIGTO 009), YOU DO NOT NEED TO PRESS FOR EARLY TAKE-OFF. MAKE WHATEVER ARRANGEMENTS ARE BEST FOR YOU WHICH WILL ASSURE YOU ARE BACK BY OPENING OF BUSINESS THURSDAY.

WARM REGARDS.